

EB-2023-0313 : 1 : Nima Chooback

COST CLAIM NUMBER
1826

SUBMISSION DEADLINE DATE
January 11, 2024

CLAIM STATUS
Submitted

EB#
EB-2023-0313: Facilities: Motion to Review (New):
Environmental Defence Canada Inc.

OTHER EB#S

PHASE #*
1

INTERVENOR
Chooback, Nima; +1 (613) 966-2620
nchooback@tmlegal.ca

INTERVENOR COMPANY*
Mohawks of the Bay of Quinte,
Tyendinaga Mohawk Territory:
Township/Municipality

INTERVENOR TYPE
Tax Exempt

HST RATE ONTARIO
0.00

EXCHANGE RATE

COUNTRY
Canada

HST NUMBER

LATE SUBMISSION ALLOWED
No

EXTENSION DEADLINE DATE

PARTICIPANTS

			Total (\$)	Total Hours	Participant Claim Status
New	Non-Filing Participant First, Last Name	Filing Participant			
No	,	Chooback, Nima; +1 (613) 966-2620 nchooback@tmlegal.ca	5,593.00	32.90	Submitted
No	,	Van Winssen, Harold; +1 (613) 966-2620 hvanwinssen@tmlegal.ca	1,353.00	4.10	Submitted

ATTACHMENTS

Attachment	Document Type	Import Message
cost claim - MBQ - Jan 5, 2024.pdf	Time Docket	

TOTAL LEGAL/CONSULTANT/OTHER FEES
6,946.00

TOTAL DISBURSEMENTS
0.00

TOTAL HST
0.00

TOTAL CLAIM
6,946.00

TOTAL AMOUNT AWARDED

TOTAL HOURS CLAIMED
37.00

TOTAL HOURS DISALLOWED

REASON FOR
DISALLOWANCE

REASON FOR
DISALLOWANCE - 2

REASON FOR
DISALLOWANCE - 3

MAKE CHEQUE PAYABLE TO
Templeman LLP

SEND PAYMENT TO ADDRESS
205 Dundas Street East
Suite 200
Belleville, Ontario
K8N 5A2

ATTENTION

SUBMIT SECTION

I am a representative of the Party. I have examined all of the documentation in support of this cost claim. The costs incurred and time spent are directly related to the Party's participation in the OEB Process referred to above.

This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in section 6.05 and 6.09 of the OEB's Practice Direction on Cost Awards.

The information (fees and disbursements) filed in this cost claim is complete and accurate and in accordance with the OEB's Practice Direction for Cost Awards and Appendix A, the Cost Awards Tariff.

SUBMITTED BY
Nima Chooback

DATE SUBMITTED
January 05, 2024

CASE EB-2023-0313: Facilities: Motion to Review (New): Environmental Defence Canada Inc.	COST CLAIM EB-2023-0313 : 1 : Nima Chooback	INTERVENOR NAME Chooback, Nima; +1 (613) 966-2620 nchooback@tmlegal.ca	PARTICIPANT CLAIM STATUS Submitted
FILING PARTICIPANT Chooback, Nima; +1 (613) 966-2620 nchooback@tmlegal.ca	NEW PARTICIPANT No	NON-FILING PARTICIPANT F. NAME	NON-FILING PARTICIPANT L. NAME
SERVICE PROVIDER TYPE* Legal Counsel	YEAR CALLED TO BAR* 2022	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE* 1	HOURLY RATE 170
HST RATE CHARGED* 0.00	CV STATUS (FOR CONSULTANT/ANALYST) CV Required	LAST CV DATE	OVERRIDE HOURLY RATE No
HST NUMBER	HEARINGS Yes	CONSULTATIONS No	DISBURSEMENTS No

HEARINGS

Hearings Hours	Hearings Subtotal (\$)	Hearings Total Tax (\$)	Hearings Total (\$)			
32.90	5,593.00	0.00	5,593.00			
<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
REVIEW APPLICATION AND EVIDENCE						
Review Application and Evidence	6.80	170	1,156.00	0.00		1,156.00
DISCOVERY						
Preparation of Interrogatories		170		0.00		
Review Interrogatory Responses		170		0.00		
Technical Conference Preparation		170		0.00		
Technical Conference Attendance		170		0.00		
Technical Conference Follow Up		170		0.00		
ISSUES LIST						
Preparation		170		0.00		
Attendance at Issues Conference		170		0.00		
INTERVENOR EVIDENCE						
Preparation		170		0.00		
Interrogatory Responses		170		0.00		
Preparation of Witness(es) for Attendance at Hearing		170		0.00		
SETTELEMENT CONFERENCE / ADR						
Preparation		170		0.00		
Attendance		170		0.00		

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
Preparation of Settlement Proposal		170		0.00		
Attendance at Presentation to Panel		170		0.00		
ORAL HEARING						
Preparation		170		0.00		
Attendance at Oral Hearing		170		0.00		
SUBMISSIONS						
Written Submissions	14.60	170	2,482.00	0.00		2,482.00
Oral Submissions		170		0.00		
Attendance at Oral Submissions		170		0.00		
OTHER ATTENDANCE						
Other Attendance		170		0.00		
COMMUNICATION						
With Client	2.30	170	391.00	0.00		391.00
With Other Parties	8.00	170	1,360.00	0.00		1,360.00
MOTIONS						
Preparation of Motion(s) Materials		170		0.00		
Prepare Submissions on the Motion(s)		170		0.00		
Attendance at Hearing on Motion(s)		170		0.00		
CONFIDENTIALITY						
Preparation of Application for Confidentiality		170		0.00		
Prepare Submissions on Confidentiality		170		0.00		
Attendance at Hearing on Confidentiality		170		0.00		
DECISION						
Review	1.20	170	204.00	0.00		204.00
RATE ORDER						
Review		170		0.00		
Prepare Submission on Rate Order		170		0.00		
TOTAL SERVICE PROVIDER FEES						
Total Service Provider Fees:	32.90		5,593.00		0.00	5,593.00

Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
Cost Claim Billings - Jan 5, 2024.pdf	Time Docket	

Hearings, Consultations, Disbursements Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Claim Type</u>	<u>Import Message</u>
Cost Claim Billings - Jan 5, 2024.pdf	Time Docket	Hearings	

Matter Billing Guide
for Templeman LLP
as at 05 Jan 2024
Filtered by Matter - MAT59658
Excluding Pre-Bill Items



Matter No.:	MAT59658	Client No.:	CNT4160
Matter Name:	Enbridge Motion to Review EB-2023-0313		
Description:	-		
Client:	MOHAWKS OF THE BAY OF QUINTE	Department:	Corporate Commercial
Address:	24 MEADOW DRIVE	Owner:	Harold Van Winssen
	TYENDINAGA MOHAWK TERRITORY	Current Owner:	Harold Van Winssen
	TYENDINAGA, ON	Legacy Ref:	-
Att:	-	Date Opened:	19 Oct 23
	K0K 1X0	Fee Schedule:	-
Client Ref:		Invoice Template:	Standard Billing Plan (1)
Client Tax No.:	N/A	Discount:	0.00%
A/R:	0.00	Unbilled Fees:	8,889.00
Trust:	0.00	Unbillable Fees:	0.00
Reserve Trust:	0.00	Unbilled Disb:	0.00
Investment:	0.00	Unbilled Time:	36.90
		Unbillable Time:	0.00
Last Invoice Date:	-	Last Billable Date:	13 Dec 23
Transfer Notes:		Discount Notes:	

Fee Earner Summary

Code	Fee Earner	Time (hh)	Fees	Write U/D	Notes
7	Harold Van Winssen	4.00	1,980.00		
295	Nima Chooback	32.90	6,909.00		

Unbilled Fees

Date	FE	Activity	Description	Unit Type	Expl Code	Rate/Unit	Time (hh)	Amount	Tax	Total Incl
18 Oct 23	7	BW	Review procedural order and timelines; forward to client with comments.	T	-	495.00	0.40	198.00	0.00	198.00
19 Oct 23	7	BW	Discuss options; review email and position; telephone call with client.	T	-	495.00	0.40	198.00	0.00	198.00
19 Oct 23	7	BW	Review and forward email.	T	-	495.00	0.10	49.50	0.00	49.50
19 Oct 23	295	BW	Review of issued procedural order and correspondence/request from ED	T	-	210.00	0.40	84.00	0.00	84.00
01 Nov 23	295	BW	Review of filed material ahead of deadline for moving party to make submissions	T	-	210.00	0.80	168.00	0.00	168.00
01 Nov 23	295	BW	Review and consideration of Environmental Defence's submissions	T	-	210.00	1.20	252.00	0.00	252.00
01 Nov 23	7	BW	Review submission of Environmental Defense.	T	-	495.00	0.50	247.50	0.00	247.50
03 Nov 23	295	BW	Drafting of reply submissions	T	-	210.00	5.00	1,050.00	0.00	1,050.00
05 Nov 23	295	BW	Final review and revisions to draft 1 of submissions	T	-	210.00	0.50	105.00	0.00	105.00

Unbilled Fees

Date	FE	Activity	Description	Unit Type	Expl Code	Rate/Unit	Time (hh)	Amount	Tax	Total Incl
06 Nov 23	295	BW	Review of revision notes and follow-up research	T	-	210.00	0.60	126.00	0.00	126.00
09 Nov 23	295	BW	Work on submissions	T	-	210.00	0.50	105.00	0.00	105.00
12 Nov 23	295	BW	Final work on draft submissions (version 2)	T	-	210.00	3.00	630.00	0.00	630.00
13 Nov 23	7	BW	Review Pollution Probe submission; work on submission and review of case law.	T	-	495.00	0.80	396.00	0.00	396.00
13 Nov 23	295	BW	Review of Pollution Probe submission	T	-	210.00	0.50	105.00	0.00	105.00
13 Nov 23	295	BW	Redrafting of submissions as directed by senior counsel	T	-	210.00	3.00	630.00	0.00	630.00
14 Nov 23	7	BW	Review and revise submission.	T	-	495.00	0.30	148.50	0.00	148.50
14 Nov 23	295	BW	Finalization of written submissions	T	-	210.00	2.50	525.00	0.00	525.00
14 Nov 23	295	BW	Service of submissions on all parties and filing with the OEB	T	-	210.00	0.50	105.00	0.00	105.00
15 Nov 23	295	BW	Review of submissions of OEB staff	T	-	210.00	1.20	252.00	0.00	252.00
15 Nov 23	295	BW	Review of Enbridge submissions	T	-	210.00	1.00	210.00	0.00	210.00
15 Nov 23	7	BW	Review and finalize submission.	T	-	495.00	0.20	99.00	0.00	99.00
15 Nov 23	7	BW	Review staff submission.	T	-	495.00	0.30	148.50	0.00	148.50
15 Nov 23	7	BW	Review Enbridge documents.	T	-	495.00	0.40	198.00	0.00	198.00
16 Nov 23	7	BW	Review and respond to email.	T	-	495.00	0.10	49.50	0.00	49.50
21 Nov 23	7	BW	Review order.	T	-	495.00	0.10	49.50	0.00	49.50
29 Nov 23	295	BW	Client meeting with Mr. Van Winssen. Receipt of instructions for draft letters.	T	-	210.00	0.60	126.00	0.00	126.00
29 Nov 23	295	BW	Draft letter to Mr. Elson	T	-	210.00	1.80	378.00	0.00	378.00
29 Nov 23	295	BW	Draft letter to the Board	T	-	210.00	1.70	357.00	0.00	357.00
30 Nov 23	295	BW	Review and consideration of ED's response submissions.	T	-	210.00	1.20	252.00	0.00	252.00
30 Nov 23	295	BW	Revisions to both draft letters for senior counsel's review	T	-	210.00	0.80	168.00	0.00	168.00
01 Dec 23	295	BW	Final revisions to letter to ED per instructions. Delivery to client for comments.	T	-	210.00	1.50	315.00	0.00	315.00
04 Dec 23	295	BW	Finalization and delivery of correspondence to Mr. Elson and to the OEB. Receipt and consideration of correspondence from Mr. Elson. Filing of documents with the OEB	T	-	210.00	1.20	252.00	0.00	252.00
05 Dec 23	7	BW	Review and forward email; forward suggestions to client.	T	-	495.00	0.30	148.50	0.00	148.50
05 Dec 23	295	BW	Receipt and consideration of response from Mr. Elson. Receipt of instructions from senior counsel. Drafting and delivery of communication to Enbridge legal counsel	T	-	210.00	1.50	315.00	0.00	315.00
08 Dec 23	7	BW	Review and forward OEB decision.	T	-	495.00	0.10	49.50	0.00	49.50
08 Dec 23	295	BW	Receipt and review of correspondence from Enbridge. Drafting of letter to counsel. Revision to letter	T	-	210.00	0.70	147.00	0.00	147.00
12 Dec 23	295	BW	Review and consideration of OEB decision	T	-	210.00	0.20	42.00	0.00	42.00
13 Dec 23	295	BW	Review and consideration of OEB final decision.	T	-	210.00	1.00	210.00	0.00	210.00
Total Unbilled Fees							36.90	8,889.00	0.00	8,889.00

CASE EB-2023-0313: Facilities: Motion to Review (New): Environmental Defence Canada Inc.	COST CLAIM EB-2023-0313 : 1 : Nima Chooback	INTERVENOR NAME Chooback, Nima; +1 (613) 966-2620 nchooback@tmlegal.ca	PARTICIPANT CLAIM STATUS Submitted
FILING PARTICIPANT Van Winssen, Harold; +1 (613) 966-2620 hvanwinssen@tmlegal.ca	NEW PARTICIPANT No	NON-FILING PARTICIPANT F. NAME	NON-FILING PARTICIPANT L. NAME
SERVICE PROVIDER TYPE* Legal Counsel	YEAR CALLED TO BAR* 1983	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE* 40	HOURLY RATE 330
HST RATE CHARGED* 0.00	CV STATUS (FOR CONSULTANT/ANALYST) CV Required	LAST CV DATE	OVERRIDE HOURLY RATE No
HST NUMBER	HEARINGS Yes	CONSULTATIONS No	DISBURSEMENTS No

HEARINGS

Hearings Hours	Hearings Subtotal (\$)	Hearings Total Tax (\$)	Hearings Total (\$)			
4.10	1,353.00	0.00	1,353.00			
<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
REVIEW APPLICATION AND EVIDENCE						
Review Application and Evidence	2.30	330	759.00	0.00		759.00
DISCOVERY						
Preparation of Interrogatories		330		0.00		
Review Interrogatory Responses		330		0.00		
Technical Conference Preparation		330		0.00		
Technical Conference Attendance		330		0.00		
Technical Conference Follow Up		330		0.00		
ISSUES LIST						
Preparation		330		0.00		
Attendance at Issues Conference		330		0.00		
INTERVENOR EVIDENCE						
Preparation		330		0.00		
Interrogatory Responses		330		0.00		
Preparation of Witness(es) for Attendance at Hearing		330		0.00		
SETTELEMENT CONFERENCE / ADR						
Preparation		330		0.00		
Attendance		330		0.00		

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
Preparation of Settlement Proposal		330		0.00		
Attendance at Presentation to Panel		330		0.00		
ORAL HEARING						
Preparation		330		0.00		
Attendance at Oral Hearing		330		0.00		
SUBMISSIONS						
Written Submissions	1.30	330	429.00	0.00		429.00
Oral Submissions		330		0.00		
Attendance at Oral Submissions		330		0.00		
OTHER ATTENDANCE						
Other Attendance		330		0.00		
COMMUNICATION						
With Client	0.40	330	132.00	0.00		132.00
With Other Parties	0.10	330	33.00	0.00		33.00
MOTIONS						
Preparation of Motion(s) Materials		330		0.00		
Prepare Submissions on the Motion(s)		330		0.00		
Attendance at Hearing on Motion(s)		330		0.00		
CONFIDENTIALITY						
Preparation of Application for Confidentiality		330		0.00		
Prepare Submissions on Confidentiality		330		0.00		
Attendance at Hearing on Confidentiality		330		0.00		
DECISION						
Review		330		0.00		
RATE ORDER						
Review		330		0.00		
Prepare Submission on Rate Order		330		0.00		
TOTAL SERVICE PROVIDER FEES						
Total Service Provider Fees:	4.10		1,353.00		0.00	1,353.00

Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
cost claim - MBQ - Jan 5, 2024.pdf	Time Docket	

Hearings, Consultations, Disbursements Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Claim Type</u>	<u>Import Message</u>
cost claim - MBQ - Jan 5, 2024.pdf	Time Docket	Hearings	

Matter Billing Guide
for Templeman LLP
as at 05 Jan 2024
Filtered by Matter - MAT59658
Excluding Pre-Bill Items



Matter No.:	MAT59658	Client No.:	CNT4160
Matter Name:	Enbridge Motion to Review EB-2023-0313		
Description:	-		
Client:	MOHAWKS OF THE BAY OF QUINTE	Department:	Corporate Commercial
Address:	24 MEADOW DRIVE	Owner:	Harold Van Winssen
	TYENDINAGA MOHAWK TERRITORY	Current Owner:	Harold Van Winssen
	TYENDINAGA, ON	Legacy Ref:	-
Att:	-	Date Opened:	19 Oct 23
	K0K 1X0	Fee Schedule:	-
Client Ref:		Invoice Template:	Standard Billing Plan (1)
Client Tax No.:	N/A	Discount:	0.00%
A/R:	0.00	Unbilled Fees:	8,889.00
Trust:	0.00	Unbillable Fees:	0.00
Reserve Trust:	0.00	Unbilled Disb:	0.00
Investment:	0.00	Unbilled Time:	36.90
		Unbillable Time:	0.00
Last Invoice Date:	-	Last Billable Date:	13 Dec 23
Transfer Notes:		Discount Notes:	

Fee Earner Summary

Code	Fee Earner	Time (hh)	Fees	Write U/D	Notes
7	Harold Van Winssen	4.00	1,980.00		
295	Nima Chooback	32.90	6,909.00		

Unbilled Fees

Date	FE	Activity	Description	Unit Type	Expl Code	Rate/Unit	Time (hh)	Amount	Tax	Total Incl
18 Oct 23	7	BW	Review procedural order and timelines; forward to client with comments.	T	-	495.00	0.40	198.00	0.00	198.00
19 Oct 23	7	BW	Discuss options; review email and position; telephone call with client.	T	-	495.00	0.40	198.00	0.00	198.00
19 Oct 23	7	BW	Review and forward email.	T	-	495.00	0.10	49.50	0.00	49.50
19 Oct 23	295	BW	Review of issued procedural order and correspondence/request from ED	T	-	210.00	0.40	84.00	0.00	84.00
01 Nov 23	295	BW	Review of filed material ahead of deadline for moving party to make submissions	T	-	210.00	0.80	168.00	0.00	168.00
01 Nov 23	295	BW	Review and consideration of Environmental Defence's submissions	T	-	210.00	1.20	252.00	0.00	252.00
01 Nov 23	7	BW	Review submission of Environmental Defense.	T	-	495.00	0.50	247.50	0.00	247.50
03 Nov 23	295	BW	Drafting of reply submissions	T	-	210.00	5.00	1,050.00	0.00	1,050.00
05 Nov 23	295	BW	Final review and revisions to draft 1 of submissions	T	-	210.00	0.50	105.00	0.00	105.00

Unbilled Fees

Date	FE	Activity	Description	Unit Type	Expl Code	Rate/Unit	Time (hh)	Amount	Tax	Total Incl
06 Nov 23	295	BW	Review of revision notes and follow-up research	T	-	210.00	0.60	126.00	0.00	126.00
09 Nov 23	295	BW	Work on submissions	T	-	210.00	0.50	105.00	0.00	105.00
12 Nov 23	295	BW	Final work on draft submissions (version 2)	T	-	210.00	3.00	630.00	0.00	630.00
13 Nov 23	7	BW	Review Pollution Probe submission; work on submission and review of case law.	T	-	495.00	0.80	396.00	0.00	396.00
13 Nov 23	295	BW	Review of Pollution Probe submission	T	-	210.00	0.50	105.00	0.00	105.00
13 Nov 23	295	BW	Redrafting of submissions as directed by senior counsel	T	-	210.00	3.00	630.00	0.00	630.00
14 Nov 23	7	BW	Review and revise submission.	T	-	495.00	0.30	148.50	0.00	148.50
14 Nov 23	295	BW	Finalization of written submissions	T	-	210.00	2.50	525.00	0.00	525.00
14 Nov 23	295	BW	Service of submissions on all parties and filing with the OEB	T	-	210.00	0.50	105.00	0.00	105.00
15 Nov 23	295	BW	Review of submissions of OEB staff	T	-	210.00	1.20	252.00	0.00	252.00
15 Nov 23	295	BW	Review of Enbridge submissions	T	-	210.00	1.00	210.00	0.00	210.00
15 Nov 23	7	BW	Review and finalize submission.	T	-	495.00	0.20	99.00	0.00	99.00
15 Nov 23	7	BW	Review staff submission.	T	-	495.00	0.30	148.50	0.00	148.50
15 Nov 23	7	BW	Review Enbridge documents.	T	-	495.00	0.40	198.00	0.00	198.00
16 Nov 23	7	BW	Review and respond to email.	T	-	495.00	0.10	49.50	0.00	49.50
21 Nov 23	7	BW	Review order.	T	-	495.00	0.10	49.50	0.00	49.50
29 Nov 23	295	BW	Client meeting with Mr. Van Winssen. Receipt of instructions for draft letters.	T	-	210.00	0.60	126.00	0.00	126.00
29 Nov 23	295	BW	Draft letter to Mr. Elson	T	-	210.00	1.80	378.00	0.00	378.00
29 Nov 23	295	BW	Draft letter to the Board	T	-	210.00	1.70	357.00	0.00	357.00
30 Nov 23	295	BW	Review and consideration of ED's response submissions.	T	-	210.00	1.20	252.00	0.00	252.00
30 Nov 23	295	BW	Revisions to both draft letters for senior counsel's review	T	-	210.00	0.80	168.00	0.00	168.00
01 Dec 23	295	BW	Final revisions to letter to ED per instructions. Delivery to client for comments.	T	-	210.00	1.50	315.00	0.00	315.00
04 Dec 23	295	BW	Finalization and delivery of correspondence to Mr. Elson and to the OEB. Receipt and consideration of correspondence from Mr. Elson. Filing of documents with the OEB	T	-	210.00	1.20	252.00	0.00	252.00
05 Dec 23	7	BW	Review and forward email; forward suggestions to client.	T	-	495.00	0.30	148.50	0.00	148.50
05 Dec 23	295	BW	Receipt and consideration of response from Mr. Elson. Receipt of instructions from senior counsel. Drafting and delivery of communication to Enbridge legal counsel	T	-	210.00	1.50	315.00	0.00	315.00
08 Dec 23	7	BW	Review and forward OEB decision.	T	-	495.00	0.10	49.50	0.00	49.50
08 Dec 23	295	BW	Receipt and review of correspondence from Enbridge. Drafting of letter to counsel. Revision to letter	T	-	210.00	0.70	147.00	0.00	147.00
12 Dec 23	295	BW	Review and consideration of OEB decision	T	-	210.00	0.20	42.00	0.00	42.00
13 Dec 23	295	BW	Review and consideration of OEB final decision.	T	-	210.00	1.00	210.00	0.00	210.00
Total Unbilled Fees							36.90	8,889.00	0.00	8,889.00